

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TRUSTEES OF THE CONSTRUCTION
INDUSTRY & LABORERS HEALTH
& WELFARE TRUST, et al.,

Plaintiff,

vs.

WILLIAMS BROTHER, INC., et al.,

Defendants.

Case No. 2:12-cv-00810-KJD-NJK

**ORDER TO SHOW CAUSE
WHY DEFENDANT MICHAEL
PEEK SHOULD NOT BE
SANCTIONED**

For the reasons stated below, the Court hereby ORDERS Defendant Michael Peek to show cause in writing, no later than March 11, 2013, why the Court should not issue sanctions against him for failure to comply with a Court order up to and including entry of default judgment, pursuant to Local Rule IA 4-1, Fed. R. Civ. P. 16(f), and/or the Court's inherent authority. No later than March 1, 2013, Defendants' withdrawing attorney of record, Robert Robbins, is ORDERED to serve this order to show cause on Defendant Michael Peek and to file a proof of service.

On February 22, 2013, the Court issued a minute order scheduling a hearing on Mr. Robbins' motion to withdraw as counsel. Docket No. 16. That minute order stated in relevant part that: "*Defendants are required to attend in person.*" *Id.* (emphasis in original). On February 26, 2013, the Court called this matter for the hearing on the pending motion to withdraw as scheduled. Defendant Michael Peek failed to appear as ordered.

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1 For the reasons stated above, the Court hereby ORDERS Defendant Michael Peek show
2 cause in writing, no later than March 11, 2013, why the Court should not issue sanctions against
3 them for failure to comply with a Court order up to and including entry of default judgment,
4 pursuant to Local Rule IA 4-1, Fed. R. Civ. P. 16(f), and/or the Court's inherent authority.

5 IT IS SO ORDERED.

6 DATED: February 26, 2013.

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NANCY J. KOPPE
United States Magistrate Judge
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